

## OLD SUIT IS DISMISSED

Agreement Reached Between  
California and Comstock  
Companies

President Trying to Patch Up the  
Hepburn Bill to Meet Ideas  
of the Opposition.

PROVISION WORKED OUT

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MOODY, KNAPP AND PROUTY  
THE AUTHORS.

Washington, Feb. 19.—Following a conference between Attorney General Moody and Speaker Cannon and Senators Clapp and Dooliver, the attorney general and Chairman Knapp and Commissioner Prouty of the interstate commerce commission, held a conference with President Roosevelt today at which railroad rate legislation was discussed thoroughly. The effort was to so shape the provisions of the Hepburn bill regarding appeal to the courts as to make it certain that the bill is constitutional and yet, so far as there is power by law to do so, then limit the appeal as much as is regarded as constitutionally necessary.

The president is understood to believe that Messrs Moody, Knapp and Prouty have worked out a satisfactory provision that is better than that in the Hepburn bill or in the original interstate commerce commission's bill, the only two bills hitherto laid before the president. The president has on that point felt at all satisfied.

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**MELLEN WAS PRESENT.**  
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 Washington, Feb. 10. Senator Keam

Charles S. Mellen, president of the New York, New Haven & Hartford railroad, talked with the president today at length on the rate question.

President Mellen returned to the White House at 4 o'clock in the afternoon. Meantime the president had summoned by telephone some of his advisers. In the conference which followed, beside the president and Mr. Mellen, there were Secretary Root, Attorney General Moody and Attorney General Knapp and Commissioner Prouty of the Interstate commerce commission. They discussed very thoroughly the questions which will be brought up by the president's proposed rate reduction. Regarding them was reached. Presumably Mr. Mellen and Mr. Byrnes had spent about four hours at the capitol in consultation with various senators on the subject of rate legislation.

## THE DEATH RECORD.

General James Kettner.

Union City, Kan., Feb. 12.—Brigadier General James Kettner, retired, died at his home here today of la grippe, aged 68 years. He fought through the civil war with distinction. He was commander of the Kansas Democratic politics for years and once was offered the nomination for governor.

John W. Slaven.

San Francisco, Feb. 12.—John W. Slaven, who was one of the best known

**Mary Wilkes.**  
Florence, Italy, Feb. 19.—Mary Wilkes, widow of Rear Admiral Wilkes U. S. N., is dead, aged 85 years. Her husband attended her during her last months.

**George A. Coster.**  
Philadelphia, Feb. 19.—George A. Coster, congressman from the Third Pennsylvania district, died today after a long illness, aged 51.

**Forest Flood.**  
Denver, Feb. 19.—Forest Flood, a well known actor, died at his home here of pneumonia, aged 34 years, tonight. He had played with Ethelreda, Walsh and other leading actresses.

**John C. Wilson.**  
Philadelphia, Feb. 19.—John C. Wilson, for many years in charge of the real estate department of the Pennsylvania Railroad company, died suddenly today of apoplexy.

## SMALLPOX ON BOARD TRAIN

Two Carloads of Southern Pacific Passengers on a Sidetrack at Reno, Nev., Under Guard.

Reno, Nev., Feb. 19.—Two carloads of passengers on the Southern Pacific are sidetracked in Reno tonight under strict quarantine because of the discovery of smallpox. It was discovered when the train was near Winnemucca, Nev., shortly before noon today. The passengers are tourists from the East bound for California. The train was met at Sparks, Nev., by Dr. Carson and Lewis of the state board of health and all the passengers placed under quarantine. At this place two cars were set aside and the rest of the train. The authorities are satisfied thoroughly there is no chance of the disease

**CHAPELLE'S SUCCESSOR.**

opaganda et today to decide on the appointment of a new archbishop of New Orleans to succeed the late Archbishop Capelle and after hearing a report presented by Cardinal Sallii it was decided to propose to the pope the nomination of Bishop Benoit of Porto Rico.

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**PAT CROWE ARRAIGNED.**

Council Bluffs, Ia., Feb. 12.—Pat Crowe was arraigned today on the first indictment against himself and three levies for holding up two street car crews on July 2, 1905. He pleaded not guilty.

Judge Marshall, sitting in the United States district court, heard the arguments of counsel for creditors of William D. Morse, recently deceased, and rendered judgment by city ordinance.

## FRESH STURGEON IN MARKET

After Absence of Six Months  
Fish Makes Reappearance  
—Few Utah Products

Sturgeon has been sold for several weeks by some of the dealers, but the article was not the genuine fresh fish, so some of the wholesalers claim. The sturgeon offered on the market by retailers was what is known as iced or cold storage fish. The large schools of sturgeon will not begin to run to any extent for the next three weeks, it is said. After the sturgeon schools begin running well the

Utah products are nearly all now second grade. Apples, potatoes and nearly all vegetables of the better grades are being imported from other states, principally Idaho and California.

Katka, Ida in Kootenai canyon, has  
 uried nearly 500 feet of track to a depth  
 of thirty feet. A large force of men is  
 clearing the slide, which was found Sunday  
 afternoon in time to prevent any  
 wrecks. The passengers of all trains are  
 being transferred. The canyon near Katka  
 is the most treacherous on the Great  
 Northern road.

## The Art of Coughing

Hammer blows, steadily applied.

the formulas of all our medicines.

S. E. Corner  
Main & 3d So.  
Phones 100.

made the store popular.




**F. Auerbach & Bro.**  
ONE PRICE TO ALL. NEVER UNDERSOLD.

## ADVANCE SALE OF NEW 1906

# WAISTS

 **75¢** FOR WHITE PERSIAN LAWN WAISTS, elaborately trimmed with embroidery insertion

 **\$1.25** FOR WHITE DOTTED SWISS WAISTS, entire front finished with small tucks and pearl buttons, new 1906 sleeves.



**\$2.00** FOR DRESSY WHITE  
LAWN WAISTS, four rows  
of lace insertion down front, small pin  
tucks down back, very handsome de-  
sign.

**\$1.00** FOR PRETTY DRESS

**\$3.75** WAISTS. Swiss lawn, front finished with embroidered floral design, tucked back, new 1906 sleeves.

styles at this popular price. They're beautiful garments, that come from a maker famous for his high-class work.

The illustration is split into two panels. The left panel shows a woman in a kitchen, wearing an apron and looking at a pot on a stove. The right panel is a close-up of a man's face, looking serious and holding a small object in his hand.



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We have the finest toilet preparation on the market today, for the skin, complexion, chapped hands and sunburn and for all rough skin.

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**Nervous Debility**, from any cause, is cured by this old, reliable medicine. **Makes the weak and nervous strong, the despondent hopeful and happy. Checks drains and soothes the nerves.** \$1.00. per box. *Full guarantee to*

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